

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

**Tecumseh G. Hatfield,
Petitioner**

-vs-

Case No. 1:02-cr-45-3

**United States of America,
Respondent**

JUDGMENT

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that petitioner's motion to vacate sentence is **DENIED**. Petitioner's motion to amend petition (doc. 94) is also **DENIED**.

A certificate of appealability shall not issue with respect to petitioner's claim for relief. The Court further CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal of this Order would not be taken in good faith and therefore **DENIES** any application by Petitioner for leave to appeal *in forma pauperis*. See Fed. R. App. P. 24(a); Kincade v. Sparkman, 117 F.3d 949, 952 (6th Cir. 1997). Petitioner remains free to apply to proceed *in forma pauperis* in the Court of Appeals.

Date: July 8, 2005

James Bonini, Clerk

By: s/Mary C. Brown
Mary C. Brown, Deputy Clerk